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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,426	07/29/2003	Rand B. Nickerson	067543.0184	7833

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BAKER BOTTS L.L.P.
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

DWIVEDI, MAHESH H

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,426	Applicant(s) NICKERSON ET AL.	
	Examiner Mahesh H. Dwivedi	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/06/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 46, line 14 of the specification, **“Figure 11”** should be **“Figure 11A”**.

Appropriate correction is required.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: **“76”** of Figure 5. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Appropriate correction is required.

Information Disclosure Statement

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3. The information disclosure statement filed 11/18/2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because references “C” and “D” have application numbers which fail to match with the associated author. US PG PUB. 20020087526 does not match with the specified author name of **Uchiyama**. US PG PUB. 20020065802 does not match with the specified author name **Estep et al.**. It has been placed in the application file, but references “C” and “D” are not being considered. Accordingly, references “A”, “B”, “E”, and “F” are being considered. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

The information disclosure statement filed 10/28/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but reference “S” is not being considered. Accordingly, References “A-O” and “T-V” are being considered.

The information disclosure statements (IDS) submitted on 11/06/2003, 10/05/2004, 02/02/2004, 08/16/2005, 10/31/2005 has been received, entered into the record, and considered. The submission is in compliance with the provisions of 37

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CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5, 10-16, 21-27, and 32-34 are rejected under 35 U.S.C. 102(e) as being anticipated by **Muret et al.** ("Muret" (U.S. Patent 6,792,458)).

6. Regarding claims 1 and 12, **Muret** teaches a system and method comprising:

- A) first software associated with the web page operable to collect information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36); and
- B) second software associated with the web page operable to: receive, from a website owner who has accessed the web page using a web browser and while the web page is

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viewable within a browser window of the web browser, input indicating a desire to access the collected information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10);

C) determine whether the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10); and

D) if the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10):

E) generate a viewable user interface providing substantially real-time access to the collected information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

F) to provide the website owner substantially real-time access to the collected information concerning user interaction with the web page, present the viewable user interface to the web site owner while the web page is viewable within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36).

Regarding claims 2, 13, and 24, **Muret** further teaches a system, method, and software comprising:

A) receive a password from the website owner (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10); and

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B) to determine whether the website owner is authorized to access the collected information concerning user interaction with the web page, determine whether the password received from the website owner is valid (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10).

Regarding claims 3, 14, and 25, **Muret** further teaches a system, method, and software comprising:

A) receive, from the website owner, one or more specified filter criteria applicable to the collected information concerning user interaction with the web page (Column 27, lines 1-43, Figures 27-29); and

B) filter the collected information concerning user interaction with the web page according to the specified filter criteria such that the website owner is presented only particular collected information concerning user interaction with the web page matching the specified filter criteria (Column 27, lines 1-43, Figures 27-29).

Regarding claims 4, 15, and 26, **Muret** further teaches a system, method, and software comprising:

A) a time frame associated with the collected information concerning user interaction with the web page (Column 27, lines 1-43, Figures 27-29).

The examiner notes that "date range" (Column 27, line 1) is analogous to a "**time frame**".

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Regarding claims 5, 16, and 27, **Muret** further teaches a system, method, and software comprising:

A) wherein the collected information concerning user interaction with the web page is user traffic information (Column 21, lines 18-60, Column 27, lines 16-43, Figures 22, 28-29).

Regarding claims 10, 21, and 32, **Muret** further teaches a system, method, and software comprising:

A) wherein the input indicating a desire to access the collected information concerning user interaction with the web page comprises entry of one or more particular keystrokes using a keyboard (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10).

The examiner notes that it is common knowledge to use a keyboard to "login" (Column 19, line 21).

Regarding claims 11, 22, and 33, **Muret** further teaches a system, method, and software comprising:

A) the web page comprises a first web page (Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30);

B) the website comprises one or more other web pages in addition to the first web page (Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30); and

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C) the second software is further operable to: receive, from the website owner, a specification of one or more of the other web pages (Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30); and

D) provide the website owner access from the first web page to collected information concerning user interaction with the specified other web pages in addition to the collected information concerning user interaction with the first web page (Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30).

Regarding claim 23, **Muret** teaches a software comprising:

A) receive, from a website owner who has accessed the web page using a web browser and while the web page is viewable within a browser window of the web browser, input indicating a desire to access collected information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10);

B) determine whether the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10); and

C) if the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10):

D) generate a viewable user interface providing substantially real-time access to the collected information concerning user interaction with the web page; and

E) to provide the website owner substantially real-time access to the collected information concerning user interaction with the web page, present the viewable user

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interface to the web site owner while the web page is viewable within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36).

Regarding claim 34, **Muret** teaches a system comprising:

- A) means for collecting information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36); and
- B) means for receiving, from a website owner who has accessed the web page using a web browser and while the web page is viewable within a browser window of the web browser, input indicating a desire to access the collected information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10);
- C) means for determining whether the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10); and
- D) means for, if the website owner is authorized to access the collected information concerning user interaction with the web page (Column 19, lines 56-67-Column 20, lines 1-10):
- E) generating a viewable user interface providing substantially real-time access to the collected information concerning user interaction with the web page (Column 5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

F) to provide the website owner substantially real-time access to the collected information concerning user interaction with the web page, presenting the viewable user interface to the web site owner while the web page is viewable within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 6-9, 17-20, and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Muret et al.** (U.S. Patent 6,792,458) as applied to claims 1-5, 10-16, 21-27, and 32-34 above and in view of **Kurzrok** (U.S. Patent 6,260,064).

9. Regarding claims 6, 17, and 28, **Muret** does not explicitly teach a system, method, and software comprising:

A) wherein the collected information concerning user interaction with the web page is user feedback information concerning the web page.

Kurzrok, however, teaches “**user feedback**” as “rating information” (**Kurzrok**, Column 3, lines 9-19, Figures 2, 4a-4c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because teaching **Kurzrok’s** would have allowed **Muret’s** to provide a method to allow owners of websites to determine whether or not website content is satisfactory to users via user feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Regarding claims 7, 18, and 29, **Muret** does not explicitly teach a system, method, and software comprising:

A) generate a report of the collected user feedback information; and

B) present the report to the website owner to provide the website owner access to the collected user feedback information while the web page is viewable within the browser window of the web browser.

Kurzrok, however, teaches “**a report of the collected feedback information**” as “rating summary” (**Kurzrok**, Column 3, lines 9-19, lines 65-67-Column 4, lines 1-20, Figures 4a-4c), and “**present the report to the website owner to provide the website owner access to the collected user feedback information while the web page is viewable within the browser window of the web browser**” as “survey results” (Figures 4a-4c)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because teaching **Kurzrok’s** would have allowed **Muret’s** to provide a method to allow owners of websites to determine whether or not website content is satisfactory to users via user feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Regarding claims 8, 19, and 30, **Muret** teaches a system, method, and software comprising:

- A) a first display of a time frame associated with the collected user feedback information (Column 27, lines 1-43, Figures 27-29);
- B) a third display of one or more sliding bars (Figures 25, 28-36);

Muret does not explicitly teach:

C) a second display providing an overview of the collected user feedback information;
and

D) correspond to a particular type of collected user feedback information and indicate percentages of negative, neutral, and positive user feedback information of the corresponding particular type of collected user feedback information.

Kurzrok, however, teaches “a second display providing an overview of the collected user feedback information” as “rating summary” (**Kurzrok**, Column 3, lines 9-19, lines 65-67-Column 4, lines 1-20, Figures 4a-4c), and “correspond to a particular type of collected user feedback information and indicate percentages of negative, neutral, and positive user feedback information of the corresponding particular type of collected user feedback information” as “percentage figure” (**Kurzrok**, Column 4, lines 17-20) and “survey results” (Figures 4a-4c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because teaching **Kurzrok's** would have allowed **Muret's** to provide a method to allow owners of websites to determine whether or not website content is satisfactory to users via user feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Regarding claims 9, 20, and 31, **Muret** teaches a system, method, and software comprising:

A) a display window operable to display one or more of: one or more charts;

Muret does not explicitly teach:

- B) one or more general or specific user ratings of the web page;
- C) user comments regarding the web page; and
- D) one or more survey displays of user answers to one or more explicit questions regarding the web page.

Kurzrok, however, teaches “**one or more general or specific user ratings of the web page**” as “rating summary” (**Kurzrok**, Column 3, lines 9-19, lines 65-67-Column 4, lines 1-20, Figures 4a-4c), “**user comments regarding the web page (Kurzrok, Column 3, lines 9-19, Figure 2)**” as “comment field” (**Kurzrok**, Column 3, lines 9-19), and “**one or more survey displays of user answers to one or more explicit questions regarding the web page**” as “survey results” (Figures 4a-4c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because teaching **Kurzrok's** would have allowed **Muret's** to provide a method to allow owners of websites to determine whether or not website content is satisfactory to users via user feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,606,657 issued to **Zilberstein et al.** on 12 August 2003. The subject matter disclosed therein is pertinent to that of claims 1-34 (e.g., methods to provide web summary reports).

U.S. Patent 6,393,479 issued to **Glommen et al.** on 21 May 2002. The subject matter disclosed therein is pertinent to that of claims 1-5, 10-16, 21-27, and 32-34 (e.g., methods to analyze and report website traffic).

U.S. PGPUB 20020087979 issued to **Pulley et al.** on 04 July 2002. The subject matter disclosed therein is pertinent to that of claims 1-34 (e.g., methods to monitor website activity).

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mahesh Dwivedi whose telephone number is (571) 272-2731. The examiner can normally be reached on Monday to Friday 8:20 am – 4:40 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached (571) 272-4146. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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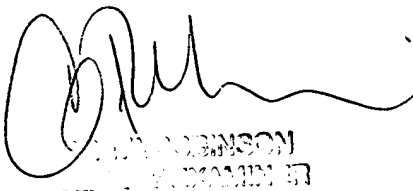
Mahesh Dwivedi

Patent Examiner

Art Unit 2168



January 31, 2006



WILLIAM A. ROBINSON
PATENT EXAMINER